

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
ORANGEBURG DIVISION

ROBERT SUTTON,)	No. 5:23-cv-01161-KDW
)	
Plaintiff,)	
)	
v.)	
)	
KILOLO KIJAKAZI,)	
Acting Commissioner of the)	
Social Security Administration,)	
)	
Defendant.)	

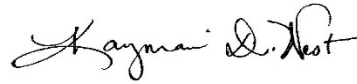
ORDER

THIS MATTER comes before the Court on Plaintiff's Motion for Attorney Fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412, ECF No. 33, and supporting exhibits. Plaintiff indicates that Defendant does not object to the total attorney hours or the requested attorney's fees as set forth in the Motion. Having reviewed the Motion, supporting exhibits, and the case file, the Court determines that Plaintiff should be awarded attorney fees under EAJA, 28 U.S.C. § 2412(d), in the amount of \$7,000.00.

IT IS, THEREFORE, ORDERED that Plaintiff's Motion for Attorney Fees, ECF No. 33, is GRANTED. The Court will award attorney fees in the amount of \$7,000.00, and pursuant to *Astrue v. Ratliff*, 560 U.S. 586 (2010), the fee award will first be subject to offset of any debt Plaintiff may owe to the United States. The Commissioner will determine whether Plaintiff owes a debt to the United States. If so, that debt will be satisfied first, and if any funds remain, they will be made payable to Plaintiff and mailed to Plaintiff's counsel. If the United States Department of the Treasury reports to the Commissioner that the Plaintiff does not owe any debt, the Government will exercise its discretion and honor an assignment of EAJA fees, This award will be paid directly

to Plaintiff and sent to the business address of Plaintiff's counsel. No additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.

November 1, 2023
Florence, South Carolina

A handwritten signature in black ink, appearing to read "Kaymani D. West". The signature is fluid and cursive, with the first name being the most prominent.

Kaymani D. West
United States Magistrate Judge